

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.

The party obtaining this order is responsible for
noticing it pursuant to Local Rule 9022-1.

Dated: November 03, 2009



TIFFANY & BOSCO
P.A.

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Randolph J. Haines

**RANDOLPH J. HAINES
U.S. Bankruptcy Judge**

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09-24962/0983588227540000

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:

Troy Thomas McDaniel
Debtor.

M&I Marshall & Ilsley Bank
Movant,
vs.

Troy Thomas McDaniel, Debtor, Edward J. Maney,
Trustee.

Respondents.

No. 2:09-bk-21865-RJH

Chapter 13

ORDER

(Related to Docket #13)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefor,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated August 20, 2007 and recorded in the office of the
3 Maricopa County Recorder wherein M&I Marshall & Ilsley Bank is the current beneficiary and Troy
4 Thomas McDaniel has an interest in, further described as:

5 A Parcel of Land located in the Southeast quarter of the Northeast quarter of Section 26,
6 Township 7 North, Range 2 East of the Gila and Salt River Base and
Meridian, Maricopa County, Arizona, more particularly described as follows:

7 COMMENCING at the Southeast corner of the Northeast quarter of Section 26, Township 7
8 North, Range 2 East of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona;

9 THENCE North 00 degrees 00 minutes 11 seconds West, along the centerline of 27th Avenue, a
distance of 40.00 feet;

10 THENCE North 89 degrees 55 minutes 30 seconds West, a distance of 40.00 feet, said point being
11 the northwesterly corner of New River Road and 27th Avenue;

12 THENCE continuing North 89 degrees 55 minutes 30 seconds West, a distance of 232.00 feet, to
the TRUE POINT OF BEGINNING;

13 THENCE continuing North 89 degrees 55 minutes 30 seconds West, a distance of 242.00 feet;

14 THENCE North 00 degrees 00 minutes 11 seconds West, a distance of 360.00 feet;

15 THENCE South 89 degrees 55 minutes 30 seconds East, a distance of 242.00 feet;

16 THENCE South 00 degrees 00 minutes 11 seconds East, a distance of 360.00 feet, to the TRUE
17 POINT OF BEGINNING;

18 EXCEPTING AND RESERVING however to the United States, all of the coal and other minerals
19 in the Land, so entered and Patented, together with the right to
prospect for, mine and remove the same, pursuant to the Patent to said Land.

20 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written
21 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
22 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
23 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
24 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

25 ...
26

IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter to which the Debtor may convert.

DATED this ____ day of _____, 2009.

JUDGE OF THE U.S. BANKRUPTCY COURT